

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In re Kaniya Rica Spiller**

Docket No. **290797**

L.C. No. **07-471100-NA**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because appellant is not an aggrieved party with standing to appeal the February 12, 2009 order terminating the parental rights of the parents to the minor child. MCR 7.203(A). Because appellant is not one of the parents whose parental rights were terminated she did not suffer a concrete and particularized injury from the termination of the parental rights of the parents and, thus, does not have standing to appeal that provision of the order. *Spires v Bergman*, 276 Mich App 432, 441-442; 741 NW2d 523 (2007). Further, appellant lacks standing to appeal the provision of the February 12, 2009 order placing the minor child in the custody of the Department of Human Services. Appellant does not have any standing to challenge that aspect of the order as a guardian of the minor child because appellant's own representations disclose that her guardianship of the minor child had been terminated in separate probate court proceedings before the February 12, 2009 order was entered. Further, appellant does not have standing to assert a claim for custody of the minor child as her maternal grandparent because third parties, including grandparents, generally have no greater claim of custody to a child than any other person. *Sirovey v Campbell*, 223 Mich App 59, 68-69; 565 NW2d 857 (1997).

The motion to waive fees is GRANTED for this case only.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 13 2009

Date

Sandra Schultz Mengel
Chief Clerk